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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Errico, et al. Attorney Docket No.: 1390- (F-160A)

Serial No.: 10/016,776 Group: 3731

Filing Date: November 2, 2001

For: ANTERIOR CERVICAL PLATE HAVING  
POLYAXIAL LOCKING SCREWS AND  
SLIDING COUPLING ELEMENTS

Dated: February 2, 2004

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

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COMMUNICATION

TECHNOLOGY CENTER R3700

Sir:

In the Notice mailed November 19, 2003, in connection with the above-identified application, it was indicated that the Associate Power of Attorney filed on September 30, 2003 was not made of record as the attorney of record - Joseph P. Errico's registration status was inactive.

Attached hereto is a copy of a letter dated November 17, 2003 from the U.S. Patent and Trademark Office indicating that Joseph P. Errico has been reinstated and his name has been restored to the active list of patent attorneys and patent agents registered to practice before the Patent and Trademark Office.

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)


I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, postpaid in an envelope, addressed to the: Mail Stop M - Maintenance, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on February 2, 2004.

Dated: February 2, 2004

David M. Carter  
David M. Carter

It is respectfully requested that the Associate Power of Attorney filed on September 30, 2003 be made of record in this application.

Respectfully submitted,

  
David M. Carter  
Reg. No. 30,949

CARTER, DELUCA, FARRELL & SCHMIDT, LLP  
445 Broad Hollow Road, Suite 225  
Melville, New York 11747  
Telephone: (631) 501-5700  
Facsimile: (631) 501-3526

**SEND CORRESPONDENCE TO:**

**Joseph P. Errico, Esq.**  
**150 Douglas Road**  
**Far Hills, NJ 07931**  
**Tel: 908-273-6109**  
**Fax: 908-273-6136**



UNITED STATES PATENT AND TRADEMARK OFFICE

Office of Enrollment and Discipline

November 17, 2003

Joseph P. Errico  
150 Douglas Road  
Far Hills, NJ 07931

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TECHNOLOGY CENTER R3700

Dear Mr. Errico:

~~In view of the receipt of your Data Sheet and the requested \$40 reinstatement fee, your~~  
name has been restored to the active list of patent attorneys and patent agents registered to  
practice before the Patent and Trademark Office

A notice of this effect will be published in the Official Gazette in due course.

Your name and address will appear in the roster of attorneys and agents as shown above.  
Any changes made in the Attorneys and Agents Roster database will not update the  
correspondence address in any of the aforementioned files or applications.

Failure to keep your address current could result in your name being removed from the  
register. 37 CFR 10.11(b).

Sincerely,

Lou Wilda Albritton  
Office of Enrollment & Discipline  
(703) 305-9179



UNITED STATES PATENT AND TRADEMARK OFFICE

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Paper No. 4

JOSEPH P. ERRICO  
150 DOUGLAS ROAD  
FAR HILLS, NJ 07931

TECHNOLOGY CENTER R3700

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NOV 19 2003

In re Application of  
Joseph P. Errico et al  
Application No. 10/016,776  
Filed: November 2, 2001  
Attorney Docket No. F-160A

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OFFICE OF PETITIONS

NOTICE

This is a notice regarding your request for acceptance of a fee deficiency submission under 37 CFR 1.28. On September 1, 1998, the Court of Appeals for the Federal Circuit held that 37 CFR 1.28(c) is the sole provision governing the time for correction of the erroneous payment of the issue fee as a small entity. See DH Technology v. Synergystex International, Inc. 154 F.3d 1333, 47 USPQ2d 1865 (Fed. Cir. Sept. 1, 1998).

The Office no longer investigates or rejects original or reissue applications under 37 CFR 1.56. 1098 Off. Gaz. Pat. Office 502 (January 3, 1989). Therefore, nothing in this Notice is intended to imply that an investigation was done.

Your fee deficiency submission under 37 CFR 1.28 is hereby **ACCEPTED**.

The Associate Power of Attorney filed on September 30, 2003 has not been made of record since the attorney of record - Joseph P. Errico's registration status is inactive.

Inquiries related to this communication should be directed to the Office of Petitions Staff at (703) 305-9285.

This file is being forwarded to Technology Center AU 3731 for examination in due course.

Wan Laymon  
Petitions Examiner  
Office of Petitions  
Office of the Deputy Commissioner  
for Patent Examination Policy